

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 KEITH R GOMEZ,

10 Petitioner,

11 v.

12 STATE OF WASHINGTON.

13 Respondent.

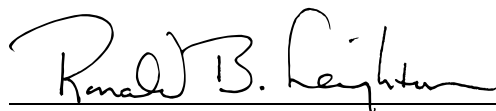
CASE NO. C13-5980 RBL-JRC

ORDER

14 The Court having reviewed the Report and Recommendation of the Hon. J. Richard  
15 Creatura, objections to the Report and Recommendation, if any, and the remaining record, does  
16 hereby find and Order:

- 17 (1) The Court adopts the Report and Recommendation;
- 18 (2) The Court dismisses this action prior to service because 28 U.S.C. § 1361  
19 does not give the Court jurisdiction over state actors. The Court lacks  
20 jurisdiction to order the Washington State Supreme Court Clerk of Court  
21 to file a document as a motion for discretionary review.

22 DATED this 17<sup>th</sup> day of January, 2014.

23 

24 RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE